

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TRAVELERS LIFE AND ANNUITY CO., et al. : CIVIL ACTION

:

v. : NO. 05-5862

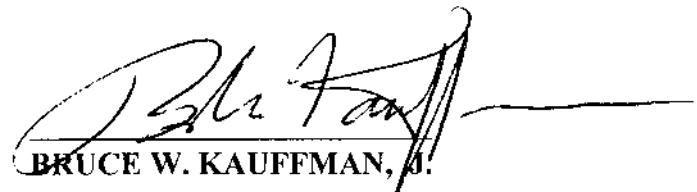
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JOHN J. KORESKO, V, et al. :

ORDER

AND NOW, this 7th day of April, 2009, pursuant to Rule 41.1(a) of the Local Rules of Civil Procedure, it is ORDERED that this action is DISMISSED WITH PREJUDICE, and the Clerk of the Court shall mark this case CLOSED.¹

BY THE COURT:



BRUCE W. KAUFFMAN, J.

¹ On October 8, 2008, the Court, having ascertained that no matter had been docketed in the instant case for over a year, notified Plaintiffs that their case would be dismissed pursuant to Local Rule of Civil Procedure 41.1(a) unless they filed a written application within thirty days. In response, Plaintiff Travelers Life and Annuity Company ("Travelers Life") filed a timely Application stating that it would consent to dismissal of its claims if Defendants' counterclaims were dismissed as well. The remaining Plaintiffs subsequently filed an application stating that they agreed with Plaintiff Travelers Life's request. Because the Court's previous Rule 41.1(a) Order specifically addressed Plaintiffs, the Court notified Defendants on November 19, 2008 that their counterclaims, along with Plaintiffs' claims, would subject to dismissal unless they filed a written application within thirty days. To date, Defendants have not filed an application with the Court. Accordingly, pursuant to Rule 41.1(a), the Court will dismiss the entire action with prejudice.